



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,282	01/22/2002	Mark A. Felkey	WMA01001	7571

25537 7590 09/02/2010  
VERIZON  
PATENT MANAGEMENT GROUP  
1320 North Court House Road  
9th Floor  
ARLINGTON, VA 22201-2909

EXAMINER
----------

THEIN, MARIA TERESA T

ART UNIT	PAPER NUMBER
----------	--------------

3627

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

09/02/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/051,282	<b>Applicant(s)</b> FELKEY ET AL.	
	<b>Examiner</b> MARISSA THEIN	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 6/14/2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,7-12,14,17,21-23,27-30,32-35,40 and 41 is/are pending in the application.
- 4a) Of the above claim(s) 37-39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,7-12,14,17,21-23,27-30,32-35,40 and 41 is/are rejected.
- 7) ☒ Claim(s) 11, 17, and 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

Applicants' "Response Under 37 C.F.R. §1.111" filed on June 14, 2010 has been considered.

Applicants' remark by virtue of amendment to claims 11, 17, and 23 has not overcome the Examiner's objection.

Applicants' remark has overcome the Examiner's rejection under 35 USC §112, first paragraph.

Applicants' remark by virtue of amendment to claims 1-15, 17, 21-23, and 40-41 has overcome the Examiner's rejection under 35 USC §101.

Claims 1, 3, 11-12, 17, 21, 23, 35, and 40 are amended. Claims 2, 4-6, 13, 15-16, 18-20, 24-26, 31, and 36 are cancelled. Claims 37-39 are withdrawn. Claims 1, 3, 7-12, 14, 17, 21-23, 27-30, 32-35, and 40-41 are pending in this application.

### ***Claim Objections***

Claims 11, 17, and 23 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Examiner suggest in writing the claims in independent form as a "computer-readable media ...".

### ***Claim Rejections - 35 USC § 103***

Art Unit: 3627

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-26, and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,085,171 to Leonard in view of U.S. Patent No. 6,965,868 to Bednarck.**

Regarding claims 1, 11, and 35, Leonard discloses a computer –implemented method, apparatus and computer-readable media storing computer-executable instructions for procuring telecommunications offering remotely comprising: receiving, via the at least one processor, a pre-sale procurement inquiry from a customer application, the pre-sale procurement inquiry specifying a selected telecommunications offering from a plurality of offerings including voice service, data access service and mobile telecommunications offerings (col. 4, lines 1-9; col. 3, lines 37-56; col. 4, lines 49-54; Figure 10; col. 13, lines 25-26; col. 3, lines 57-60), the pre-sale procurement inquiry being directed at least to one or more telecommunication services to which a customer who is not yet a subscriber is considering a subscription (col. 3, lines 57-63); generating procurement data in response to the pre-sale procurement inquiry (col. 2, lines 4-20; Figure 12; col. 13, lines 32-45; col. 3, lines 57-60); and transmitting the procurement data to the customer application (col. 8, lines 36-41).

However, Leonard does not explicitly disclose providing an option for accessing a network consultant via instant messaging. Leonard discloses a method of ordering a change of communication service (col. 1, lines 46-50). Customers communicate and/or receive voice, video, and/or data signals from communication devices. Communication devices can be cellular telephones, computers, Internet appliances, personal digital assistants or any other devices for communicating and/or receiving voice, video, and/or data signals. (Col. 3, lines 46-56)

Bednarck, on the other hand, teaches providing an option for accessing a network consultant via instant messaging (col. 10, lines 50-53; col. 11, lines 64-66; col. 14, lines 46-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Leonard, to include providing an option for accessing a network consultant via instant messaging, as taught by Bednarck, in order to engage in real time dialogue (Bednarck, col. 11, lines 64-65) and provide intensive interaction and customized information with the customer (Bednarck, col. 14, lines 48-49).

Regarding claims 2-4, 7, 8-10, Leonard discloses the procurement data of pre-sale, ordering and post-sale data (col. 3, lines 57-63; col. 12, lines 23-44; col. 12, line 66 - col. 13, line 24); transmitting the pre-sale data comprising value added content which includes at least one of data for matching the selected telecommunication offering with needs of a customer, data for qualifying a customer for the selected telecommunication offering, data for an on-line demonstration of a process for procuring the selected

Art Unit: 3627

telecommunication offering, data for answers to technical questions (col. 3, lines 57-63; col. 12, lines 23-44; col. 12, line 66 - col. 13, line 24); transmitting post-sale data comprising value added content, the value added content including at least one of data for providing access to exiting orders, data for providing electronic billing, data for sending of a page, data for scheduling of a conference call, data for on-line directory assistance, or tailored data for on one of a telecommunication ordered or a related telecommunication offerings (col. 3, lines 57-63; col. 12, lines 23-44; col. 12, line 66 - col. 13, line 24); providing the voice service offering to include calling package, a long distance, a toll free, a conferencing and a calling card telecommunication offering (col. 4, lines 49-54; col. 12, line 66 - col. 13, line 24); providing the data access service (col. 4, lines 49-54; col. 12, line 66 - col. 13, line 24 ); providing the mobile telecommunication offerings (col. 3, lines 37-43; col. 4, lines 49-54; col. 12, line 66 - col. 13, line 24); and graphical user interface (Figures 6-11; col. 10, lines 37-39).

Regarding claim 5-6, Leonard discloses order entry data; order tracking and order status data (col. 2, lines 5-20)

Regarding claims 12, 14, 17, and 36, Leonard discloses a computer-implemented method, apparatus and a computer-readable media storing computer-executable instructions for servicing telecommunication offerings remotely comprising: receiving an pre-sale inquiry from a customer application, the pre-sale inquiry specifying search criteria with respect to an order for one of a plurality of telecommunication offering including voice service, data access service and mobile telecommunication service (col. 10, lines 4-36), the pre-sale inquiry being directed at least to one or more

Art Unit: 3627

telecommunication services to which a customer who is not yet a subscriber is considering a subscription (col. 3, lines 57-60), a customer agent assigned for servicing telecommunication offering order, (col. 8, lines 23-49); generating response to the service inquiry and pertaining to the search criteria (col. 2, lines 4-20; Figure 12; col. 13, lines 32-45); and transmitting the response data to the customer application (col. 8, lines 36-41).

However, Leonard does not explicitly disclose instant messaging. Leonard discloses a method of ordering a change of communication service (col. 1, lines 46-50). Customers communicate and/or receive voice, video, and/or data signals from communication devices. Communication devices can be cellular telephones, computers, Internet appliances, personal digital assistants or any other devices for communicating and/or receiving voice, video, and/or data signals. (Col. 3, lines 46-56)

Bednarck, on the other hand, teaches instant messaging (col. 10, lines 50-53; col. 11, lines 64-66; col. 14, lines 46-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Leonard, to include instant messaging, as taught by Bednarck, in order to engage in real time dialogue (Bednarck, col. 11, lines 64-65) and provide intensive interaction and customized information with the customer (Bednarck, col. 14, lines 48-49).

Regarding claims 13 and 15, Leonard discloses the response data includes at least one of pre-sale, ordering, and post-sale data (col. 3, lines 57-63; col. 12, lines 23-

Art Unit: 3627

44; col. 12, line 66 - col. 13, line 24); and post sale data (col. 3, lines 57-63; col. 12, lines 23-44; col. 12, line 66 - col. 13, line 24).

Regarding claims 21-23, Leonard discloses a computer-implemented method and computer-readable media storing computer-executable instructions for procuring telecommunications offering remotely comprising: submitting a pre-sale inquiry, specifying a selected telecommunications offering among a voice, data access and mobile telecommunications offerings (col. 4, lines 1-9; col. 3, lines 37-56; col. 4, lines 49-54; Figure 10; col. 13, lines 25-26), the pre-sale inquiry being directed at least to one or more telecommunication services to which a customer who is not yet a subscriber is considering a subscription (col. 3, lines 57-63); receiving procurement data (col. 2, lines 4-20; Figure 12; col. 13, lines 32-45) wherein the procurement data is generated in response to the and pertains to he selected telecommunication offering (col. 2, lines 4-20; Figure 12; col. 13, lines 32-45). Furthermore, Leonard discloses a graphical user interface (Figures 6-11).

However, Leonard does not explicitly disclose instant messaging. Leonard discloses a method of ordering a change of communication service (col. 1, lines 46-50). Customers communicate and/or receive voice, video, and/or data signals form communication devices. Communication devices can be cellular telephones, computers, Internet appliances, personal digital assistants or any other devices for communicating and/or receiving voice, video, and/or data signals. (Col. 3, lines 46-56)

Bednarck, on the other hand, teaches instant messaging (col. 10, lines 50-53; col. 11, lines 64-66; col. 14, lines 46-49).



Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Leonard, to include instant messaging, as taught by Bednarck, in order to engage in real time dialogue (Bednarck, col. 11, lines 64-65) and provide intensive interaction and customized information with the customer (Bednarck, col. 14, lines 48-49).

**Claims 27-30 and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,085,171 to Leonard in view of U.S. Patent No. 6,965,868 to Bednarck and further in view of U.S. Patent No. 6,098,108 to Sridhar et al.** Leonard substantially disclose the claimed invention, however, Leonard does not disclose instant messaging; and a customer browser loaded on a customer client computer; a back office browser loaded on a back office client computer; the server program communicate according to a communication protocol architecture that includes a web layer and application layer; a database layer; a site intelligence server; and the development, staging and production system. Leonard discloses a method of ordering a change of communication service (col. 1, lines 46-50). Customers communicate and/or receive voice, video, and/or data signals form communication devices. Communication devices can be cellular telephones, computers, Internet appliances, personal digital assistants or any other devices for communicating and/or receiving voice, video, and/or data signals. (Col. 3, lines 46-56)

Bednarck, on the other hand, teaches instant messaging (col. 10, lines 50-53; col. 11, lines 64-66; col. 14, lines 46-49).

Art Unit: 3627

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Leonard, to include instant messaging, as taught by Bednarck, in order to engage in real time dialogue (Bednarck, col. 11, lines 64-65) and provide intensive interaction and customized information with the customer (Bednarck, col. 14, lines 48-49).

Furthermore, Leonard and Bednarck do not disclose a customer browser loaded on a customer client computer; a back office browser loaded on a back office client computer; the server program communicate according to a communication protocol architecture that includes a web layer and application layer; a database layer; a site intelligence server; and the development, staging and production system.

Sridhar, on the other hand, teaches a customer browser loaded on a customer client computer; a back office browser loaded on a back office client computer; the server program communicate according to a communication protocol architecture that includes a web layer and application layer; a database layer; and a site intelligence server (Figure 6; Figure 9; Figure 15; Figure 22; col. 5, lines 7-25; col. 9, lines 44-58).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Leonard and Bednarck, to include a customer browser loaded on a customer client computer; a back office browser loaded on a back office client computer; the server program communicate according to a communication protocol architecture that includes a web layer and application layer; a database layer; a site intelligence server; and the development, staging and production system, as taught by Sridhar, in order to provide enhanced

Art Unit: 3627

communication between client and server computers coupled through the Internet (Sridhar, col. 1, lines 13-15).

**Claims 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,085,171 to Leonard et al. in view of U.S. Patent No. 6,788,949 to Bansal.**

Leonard discloses a method comprising: providing a plurality of options to communicate with a consultant during provisioning (col. 1, line 1; Figure 5; col. 3, lines 47-56), the provisioning including at least a pre-sale inquiry being directed at least to one or more telecommunication services to which a customer who is not yet a subscriber is considering a subscription (col. 3, lines 57-63); receiving input from the customer application, the input specifying one or more selections of a plurality of telecommunications products (Figure 10); determining whether the selection is valid during the provisioning (Figure 12; Figure 13A); and generating an order for the selection based on the determining step (Figure 12; Figure 13A).

However, Leonard does not explicitly disclose instant messaging and on-line shared white-boarding; and web interface. Leonard discloses a method of ordering a change of communication service (col. 1, lines 46-50). Customers communicate and/or receive voice, video, and/or data signals from communication devices. Communication devices can be cellular telephones, computers, Internet appliances, personal digital assistants or any other devices for communicating and/or receiving voice, video, and/or data signals. (Col. 3, lines 46-56) Clients 10 couple to client server 90 using links 20, network 30, and link 40. Network 30 could be the Internet, a wide area network (WAN),

Art Unit: 3627

a private or public switched or dedicated network, or any other type of communication network for transferring data. (Col. 3, lines 9-13)

Bansal, on the other hand, teaches instant messaging and on-line shared white-boarding, and web interface (col. 1, lines 30-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Leonard, to include instant messaging and on-line shared white-boarding and web base interface, as taught by Bansal, in order to provide a chat session that allows to enter and send messages simultaneously (Bansal, col. 1, lines 22-24).

### ***Response to Arguments***

Applicant's arguments filed June 14, 2010 have been fully considered but they are not persuasive.

Applicants remark that Leonard does not disclose or suggest "of a prospective subscriber or one who is not yet a subscriber, making a pre-sale procurement inquiry as to what offerings are available".

Examiner does not agree. Leonard discloses a system for processing an order to change communication service (abstract). Leonard discloses the receiving of an order when a customer desires to change communication service. A change in communication service contemplates changing a service provider. (Col. 3, lines 57-60)

Such system for processing an order to change communication service, wherein the change includes changing a service provider is considered "a prospective

Art Unit: 3627

subscriber or one who is not yet a subscriber, making a pre-sale procurement inquiry as to what offerings are available”.

Applicants remark that “neither Bednarek nor Leonard provides for an option to access a network consultant via instant messaging”.

Examiner does not agree. The combination of Bednarek and Leonard teach or suggest “an option to access a network consultant via instant messaging”. Leonard discloses a method of ordering a change of communication service (col. 1, lines 46-50). Order entry system includes clients coupled to a server. Server includes a client server coupled to a host server. Client server communicates with client to verify and receive numerous orders. (Col. 2, line 67 - col. 3, line 4) Client server couples to host server using link and host server couples to communication service providers (CSPs). CSPs represent any arrangement of hardware and/or software equipment operated by local exchange carriers, independent local exchange carriers, interexchange carriers, data service providers, cable television service providers, or any other entity that provides voice, video, and/or data services to customers. (Col. 3, lines 16-23) CSPs include a gateway coupled to central offices, mobile telephone switching files (MTSOs), cable head ends, remote terminals, local switches, or other communication equipment (referred to generally as switches) servicing communication devices of customers. Gateway and switches communicate using links. Each switch includes a database that contains a variety of information about customers coupled to each switch. Customers communicate and/or receive voice, video, and/or data signals from communication devices using twisted pair wire, coaxial cable, fiber optic cable, wireless links, or any

Art Unit: 3627

other wireline or wireless link (generally referred to as links). Accordingly, communication devices may be landline or cellular telephones, computers, television converter boxes, Internet appliances, personal digital assistants (PDAs), or any other device for communicating and/or receiving voice, video, and/or data signals. (Col. 3, lines 37-56)

The Examiner then turns to Bednarek to teach the instant messaging. Bednarek teaches the system operator operates a website or "virtual retail store," i.e., vetail store. The store may comprise, for example, a website which has a plurality of departments relating to different types of goods. Within each class of goods, the vetailer selects one or more merchants whose products will be displayed on the website. The vendors preferably have agreed to pay some form of commission to the vetailer for sales through the site. For each of the various classes of goods or services offered on the site, there is preferably one or more certified sales agents. The sales agents are certified as having a prescribed level of expertise concerning the specific product for which they are certified. Eventually, any one particular sales agent may have expertise with regard to a variety of types of products. The certification of expertise may be made by the vendor or by the system operator, but in any case, the system maintains an association of the identity of the sales agent along with the areas of expertise for that particular sales agent. Once certified, the sales agent is provided access to additional information concerning the products, which may be shared with consumers in the manner described hereinafter. This additional information is preferably in the form of video, graphic or other sensory images of the products or information about the products. (Col. 10, lines

Art Unit: 3627

64-col. 11, lines 20) The "virtual retail" or "vetail" uses networked computers, instant messaging technology, wireless connectivity and a distributed sales agent model (col. 10, lines 50-53). Bednarek teaches the display preferably includes some portion for displaying the dialogue between the sales agent and the customer. Naturally, the dialogue could occur purely through voice communication, but preferably some form of video, either text based or video conferencing, is provided. Finally, in connection with each department or class of goods, the system displays the sales agents that are currently available. This is done using the same technology as currently used in connection with "buddy list" or other related technology for determining the presence of a particular person or agent on the Internet. (Col. 11, lines 31-45).

Such virtual retail or vetail using instant messaging technology; and displaying sales agents in each department or class of goods that are currently available by using a buddy list or other related technology for determining the presence of a particular person or agent on the Internet are considered "an option to access a network consultant via instant messaging".

Applicants remark that "thus, to whatever extent Sridhar et al. may even be considered as suggesting "a customer browser loaded on a customer client computer," "a back office browser loaded on a back office client computer," and "a server program loaded on a server computer," which it does not, none of those supposed elements serves the claimed functions of submitting a procurement inquiry specifying a selected telecommunications offering, submitting a service inquiry specifying a search criteria with respect to an order for a telecommunications offering, and/or receiving the

procurement and service inquiries. Thus, the rationale presented in the Office Action for making the proposed combination can only be based on impermissible hindsight gleaned from Applicants' disclosure".

The combination of Leonard, Bednarek and Sridhar teaches or suggest the recitation above. The combination of Leonard and Bednarek teach or suggest "submitting a procurement inquiry specifying a selected telecommunications offering, submitting a service inquiry specifying a search criterion with respect to an order for a telecommunications offering, and/or receiving the procurement and service inquiries". The Examiner then turns to Sridhar to teach or suggest "a customer browser loaded on a customer client computer," "a back office browser loaded on a back office client computer," and "a server program loaded on a server computer". See Office action above. The motivation to combine is to "enhanced communication between client and server computer coupled through the Internet" found in Sridhar, col. 1, lines 13-15.

In response to applicants' argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).



Applicants remark that "Leonard does not disclose or suggest a "pre-sale inquiry" as the inquiries in Leonard are directed to pending orders. Moreover, for reasons previously argued, Leonard does not provide for the claimed "options to communicate with a consultant."

Examiner directs Applicants' attention to the discussion above.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARISSA THEIN whose telephone number is (571)272-6764. The examiner can normally be reached on M-F 8:00-5:00.

Art Unit: 3627

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marissa Thein/  
Primary Examiner, Art Unit 3627  
August 30, 2010